

REMARKS

Claims 1-11, 13, 14 and 16-23 are pending in the application, as amended. Claims 12 and 15 have been cancelled. Claims 14 and 23 have been rewritten in independent form to include all of the limitations of their respective base claims. Claims 1, 16, 18, 19, 21 and 22 have been amended. Claim 1 has been amended to further define the top cover by claiming that the top cover has a ridge extending generally upwardly from the top cover and that the ridge extends longitudinally in a direction in which the printed media are delivered from the media turnover guide. The amendment of claim 1 is supported by the specification at least at page 9, line 17 – page 10, line 7 and in the drawings at least at Fig. 12. Claim 16 has been amended to further define the top cover by claiming that the top cover has a curved surface. The amendment of claim 16 is supported by the specification at least at page 9, line 17 – page 10, line 7 and in the drawings at least at Fig. 12. Claims 18, 19 and 21 have been amended by adding the “curved surface” to properly depend on their base claims and intervening claims, and is supported in the drawings at least at Fig. 12. Claim 22 has been amended to further define the withdrawable stacker by claiming that the stacker is movable between first and second positions. The amendment to claim 22 is supported in the specification at least at page 7, line 15 – page 9, line 27 and in the drawings at least at Figs. 6, 9, 10 and 12. No new matter has been added to the application by the amendment.

Rejection - 35 U.S.C. § 102

The Examiner rejected claim 1 under 35 U.S.C. § 102 as being unpatentable over Underwood *et al.* The Examiner states that Underwood *et al.* teaches a printer comprising a main body having a front, a back, a top cover, a back delivery unit mounted on the back of the main body for receiving print media face-up and a media turnover guide having a curved surface that guides the print media face-down onto the top cover of the main body. Applicant respectfully traverses this rejection.

Claim 1, as amended, recites, among other things:

a main body having a front, a back, a top cover and a ridge
extending generally upwardly from the top cover;
a back delivery unit mounted on the back of the main body for
receiving printed media face-up; and
a media turnover guide having a curved surface that turns the
printed media over and guides the printed media face-down onto an
external surface of the top cover and ridge of the main body, wherein the
ridge extends longitudinally in a direction in which the printed media are
delivered from the media turnover guide.

Although Applicant does not agree with the Examiner, even if one were to assume that the face-down output area 20, 122 were part of the top cover of Underwood *et al.*, as suggested by the Examiner, the above underlined language of claim 1 still distinguishes from Underwood *et al.* The present invention includes a hump or ridge 75a (Fig. 12) on the top cover 75 to force media to curl in a direction orthogonal to a direction in which the print media are delivered to the cover, so that the transversal curl is flattened out (page 10, lines 4-7). In Underwood *et al.*, the face-down output area 20, 122 (Figs. 1-4A and 5) is clearly flat and does not include a ridge that extends longitudinally in a direction in which the printed media are delivered from the media turnover guide. Nowhere in Underwood *et al.* is such a ridge or hump disclosed.

Thus, Underwood *et al.* does not disclose each and every element of claim 1. Reconsideration and withdrawal of the rejection of claim 1 in view of Underwood *et al.* are respectfully requested.

The Examiner has rejected claims 1, 12, 15-17 and 22 under 35 U.S.C. § 102 as being anticipated by Nunes *et al.* The Examiner states that Nunes *et al.* teaches a printer comprising a main body having a front, a back, a top cover, a back delivery unit mounted on the back of the main body for receiving print media face-up and a media turnover guide having a

curved surface that guides the print media face-down onto the top cover of the main body (Fig. 1). The Examiner further states that the top cover of the main body has a hump 52 extending longitudinally in a direction in which the printed media are delivered from the media turnover guide and that the tray 29 is located at the back of the printer and withdrawable tray 55 is located at the front. Applicant respectfully traverses this rejection.

With respect to claim 1, the above underlined language of claim 1 distinguishes over Nunes et al. As mentioned above, the present invention includes a hump or ridge 75a (Fig. 12) on the top cover 75 to force media to curl in a direction orthogonal to a direction in which the print media are delivered to the top cover, so that the transversal curl is flattened out (page 10, lines 4-7). In Nunes et al., the external cover 52, referred to as a hump by the Examiner, is located behind the path 54 of the outputted media. Furthermore, the external cover 52 extends in a transversal direction of the paper path 54 instead of a longitudinal direction of the paper path. Thus, the printer of Nunes et al. does not include a ridge that extends longitudinally in a direction in which the printed media are delivered from the media turnover guide.

Thus, Nunes *et al.* does not disclose each and every feature of claim 1. Reconsideration and withdrawal of the rejection of claim 1 in view of Nunes et al. are respectfully requested.

The rejection of claims 12 and 15 are rendered moot since claims 12 and 15 have been cancelled.

Claim 16, as amended, recites, among other things:

a main body having a front, a back, and a top cover; and
a media turnover guide having a curved surface that guides the
printed media face-down onto the top cover of the main body;
wherein the top cover of the main body has a curved surface with
different heights in a direction orthogonal to a direction in which the
printed media are delivered from the media turnover guide.

The above underlined language of claim 16 distinguishes over Nunes et al. As mentioned above, the present invention includes a hump 75a (Fig. 12) on the top cover 75 to force media to curl in a direction orthogonal to a direction in which the print media are delivered to the top cover, so that the transversal curl is flattened out (page 10, lines 4-7). The hump 75a has a peak at the center of the top cover 75 and gradually decreases in height in each transversal direction until the hump 75a reaches the height of the top cover 75. Thus, a curved surface is formed. In Nunes et al., no such curved surface is shown or described. Even if one were to assume that the top output tray 55 were part of a top cover, a curved surface with different heights in a direction orthogonal to a direction in which the printed media are delivered from the media turnover guide is not shown or disclosed in Nunes et al.

Thus, Nunes *et al.* does not disclose each and every feature of claim 16. Claim 17 is dependent upon claim 16 and distinguishes over Nunes et al. for the same reasons set forth above with respect to claim 16. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 22, as amended, recites, among other things:

a main body having a front, a back, and a top cover;
a media turnover guide having a curved surface that guides the
printed media face-down onto the top cover of the main body; and
a withdrawable stacker movable to a first position, in which the
withdrawable stacker is housed in part of the top cover, the printed media
being delivered onto said part, and a second position in which the
withdrawable stacker is withdrawn from the top cover to stack the printed
media delivered onto the top cover, the printed media sliding from an
external surface of the top cover onto the withdrawable stacker.

The above underlined language of claim 22 distinguishes over Nunes *et al.* The present invention includes a withdrawable stacker 33, 61, 71 having a media shelf 35, 66, 76, respectively, that is housed within the main body, under the top cover 15 (Figs. 6, 10 and 12). The stacker 33, 61, 71 is capable of being withdrawn so that the surface of the media shelf 35, 66, 76 of the stacker 33, 61, 71 becomes an extension of the top cover 15, enabling the top cover 15 and stacker 33, 61, 71 to combine to function as a tray for receiving the printed media. The output tray 55 of Nunes *et al.* extends out of the top portion of the printer but does not form an extension of the top cover of the printer. Printed media is outputted to the output tray 55 without making contact with the top cover. Thus, the output tray 55 does not enable the top cover to function as part of a tray for receiving printed media.

Furthermore, the output tray 55 of Nunes *et al.* is a fixed tray that extends out of the top portion of the printer. The output tray 55 has only one position and is not capable of being housed within the body of the printer. It is noted that there is no disclosure in Nunes *et al.* that indicates that the output tray 55 is retractable. One cannot assume that the output tray 55 is retractable without it being disclosed in the patent. Thus, a withdrawable stacker movable to a first position, in which the withdrawable stacker is housed in part of the top cover, the printed media being delivered onto said part, and a second position in which the withdrawable stacker is withdrawn from the top cover to stack the printed media delivered onto the top cover, the printed media sliding from an external surface of the top cover onto the withdrawable stacker is not disclosed in Nunes *et al.*

Thus, Nunes *et al.* does not disclose each and every feature of claim 22. Reconsideration and withdrawal of the rejection of claim 22 are respectfully requested.

Applicant appreciates Examiner's willingness to allow claims 14, 18-21 and 23 if rewritten in independent form. Although, claims 14 and 23 have been rewritten in independent form and are now allowable, Applicant believes that claims 18-21 are also allowable as currently amended. Applicant also appreciates and acknowledges that Examiner has allowed claims 2-11 and 13.

CONCLUSION

In view of the above Amendment and Remarks, it is respectfully submitted that the present application, including claims 1-11, 13, 14 and 16-23, is in condition for allowance.

Respectfully submitted,

EMIKO BABA

March 30, 2005 By: Martin G. Belisario
(Date)

MARTIN G. BELISARIO

Registration No. 32,886

AKIN GUMP STRAUSS HAUER & FELD LLP

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

Direct Dial: 215-965-1303

Facsimile: 215-965-1210

E-Mail: mbelisario@akingump.com

MGB/JHC:nywp